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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,910	01/09/2002	Raymond Fallon	18133-095	4528

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EXAMINER	
TRAN, MYLINH T	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/042,910	FALLON ET AL.	
	Examiner	Art Unit	
	Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 9-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

RD

DETAILED ACTION

Applicant's Amendment filed 03/30/05 has been entered and carefully considered. Claims 1, 6-7, 9, 12-17, 21, 23-24, 26-27, 31 and 35-38 have been amended. Claims 39-43 have been added. The amended and new claims have not been found to be patentable over prior art of record; therefore, claims 1-7 and 9-43 are rejected under the same ground of rejection as forth in the Office Action mailed 09/30/04.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-26 and 31-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuiawa et al. [US. 2003/0033550].

As to claims 1, 17, 26, 31 and 35, Kuiawa et al. disclose a computer implemented method and corresponding apparatus for providing information about the occurrence of at least one predetermined event associated with an uninterruptible power supply in operable communication with the system comprising the steps/means for a worker module determining whether the

predetermined event (first condition) has occurred (page 4, 0034, Kuiawa cites "if the application program detects abnormalities in one or more UPS devices, the application program causes the operating system to generate pertinent GUIs in the manner as describes with respect to FIGS. 3-8 to alert the user of the abnormalities."); a user interface module responsive to the determination of the worker module, the user interface module generating a user interface providing information relating to the predetermined event (figure 6, pages 2-3, 0025).

Kuiawa et al. also teach the user interface comprising at least one of a graphical portion and an alphanumerical portion (figure 6, 624 (graphical portion), 622 (an alphanumerical)), the user interface concurrently providing multiple pieces of information (Kuiawa discloses plural pieces of information such as status information (614), UPS mode information (612), Power Event Analysis (626) and Voltage Analysis (636)) regarding at least one of operation of the single UPS and connectivity of the system with the single UPS (one single UPS is selected among multiple UPS devices).

As to claim 2, Kuiawa et al. also disclose the UPS having at least one operating parameter and wherein the information relating to the predetermined event comprises information relating to the at least one operating parameter of the UPS (Kuiawa cites "The UPS devices monitoring application program communicates with each UPS device managed to gather

various information such as voltage thresholds, power failure, battery threshold, network communication status" on page 4, 0034).

As to claim 3, Kuiawa et al. teach the user interface module generating the user interface upon occurrence of the predetermined event (GUI on figure 6, page 2, 0025).

As to claim 4, Kuiawa et al. also teach the event having a duration and wherein the user interface module generates a user interface for at least the duration of the predetermined event (0029).

As to claims 5 and 18, Kuiawa et al. show the predetermined event being an event relating to UPS communication status (0025, connecting).

As to claim 6, Kuiawa et al. also show the predetermined event being an event relating to UPS battery status (0031).

As to claim 7, Kuiawa et al. demonstrate the user interface comprising at least one of a UPS status monitor, a system tray icon, an event notifier, and a balloon notifier (page 1, 0004).

As to claim 9, Kuiawa et al. provide the user interface having a size substantially similar to the size of a toolbar (the dialog window (600), figure 6).

As to claims 10 and 24, Kuiawa et al. also provide a memory storing information relating to at least one of the predetermined event and the operating parameter of the UPS (0020).

As to claims 11 and 23, Kuiawa et al. disclose the user interface further comprising a control that enables a user to perform a function based on the information in the user interface (0028-0030).

As to claims 12, 22 and 37, Kuiawa et al. also disclose the worker module monitoring the operating parameter of the UPS and the user interface module dynamically updates at least a portion of the user interface to reflect a change in the operating parameter (0029).

As to claim 13, Kuiawa et al. show the worker modules receiving information from the UPS relating to an operating parameter of the UPS (0017-0019).

As to claim 14, Kuiawa et al. also show the user interface module displaying a user interface providing context-sensitive information relating to an operating parameter of the UPS (battery threshold, figure 6).

As to claim 15, Kuiawa et al. teach the user interface module generating the user interface automatically (0004 and 0034).

As to claim 16, Kuiawa et al. also teach the user interface module generating the user interface upon receipt of a command (0022 and 0034).

As to claims 19 and 38, Kuiawa et al. provide ceasing to display the indicator upon occurrence of a second condition (0026, Kuiawa cites "the status window will list the power failure as the cause of the warning state").

As to claim 20, Kuiawa et al. also provide the second condition comprising a condition selected from the group consisting of receiving a second command, cessation of the first condition, and change in the first condition (page 3,

0026, Kuiawa et al. cite "When the listed UPS device is highlighted, the status window displays a chronology of events that caused the listed UPS device to be diagnosed in a certain state....if a listed UPS device has been subjected to a power failure, the UPS device would be placed in a warning state due to the power failure. And the status window will list the power failure as the cause of the warning state).

As to claim 21, Kuiawa et al. also provide displaying at least one indicator conveying only information related to the first condition (0025-0026).

As to claim 25, Kuiawa et al. demonstrate displaying the stored information (figure 6).

As to claims 33 and 36, Kuiawa et al. also demonstrates means for displaying the user interface to a user (figure 6).

As to claim 34, Kuiawa et al. discloses means for determining the duration of the predetermined event (0028-0029).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuiawa et al. [US. 2003/0033550].

As to claim 27, Kuiawa et al. disclose determining whether the event has occurred by alerting the user when it occurs. Kuiawa et al. fail to clearly teach an alarm to the user during the duration of the event to notify the user that the event has occurred. However, Official notice is taken that implementation of notifying the user that the event has occurred by the alarm to the user during the duration of the event was well known in the computer art. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation of notifying the user with Kuiawa's teaching of pertinent GUIs to alert the user of an abnormalities. Motivation of the combination would have been to notice the user by a warning signal.

As to claim 28, Kuiawa et al. fails to teach displaying a control in the user interface that enables the alarm to be muted. However, **Official Notice** is taken that implementations of the alarm to be muted are well known in the art. In light of the rejection set forth above, it would have been obvious to one of skill in the art, at the time the invention was made, to combine the well know implementations of the alarm of Kuiawa. Motivation of the combine is for the user to control the alarm if she/he does not want it to notify the user.

As to claim 29, Kuiawa et al. shows ceasing to display the user interface when the event is no longer occurring (0028-0029).

As to claim 30, Kuiawa et al. also shows the displayed user interface being sized to enable other information to be viewed on a display at the same time that the user interface is being viewed on the display (figure 6).

Response to Arguments

Applicant has argued Kuiawa does not teach or suggest multiple pieces of information about a single UPS. However, the argument is not persuasive because Kuiawa discloses multiple pieces of information such as status information (614), UPS mode information (612), Power Event Analysis (626) and Voltage Analysis (636)) regarding at least one of operation of the single UPS and connectivity of the system with the single UPS (one single UPS is selected among multiple UPS devices). Kuiawa also cites "In stage 310, prior to sending service personnel to inspect the suspect UPS device...the user can obtain further analysis on the UPS device...With its associated listed UPS device 622 highlighted (one single UPS device), the user can click one of the several icons on the vertical menu bar 606 that provides analysis of the UPS device...the vertical menu bar 606 contains two icons which are power Event Analysis and Voltage Analysis 636 (two pieces of information).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 571-272-4136.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179